
MINUTES OF THE PROCEEDINGS
REGULAR MEETING
OF THE
RETIREMENT BOARD OF THE POLICEMEN'S
ANNUITY & BENEFIT FUND
HELD
TUESDAY – NOVEMBER 24, 2015

The regular meeting of the Retirement Board of the Policemen's Annuity and Benefit Fund was held November 24, 2015, at 9:00 A.M. at the office of the Fund, 221 N. LaSalle Street, Room 1626, Chicago, Illinois for the consideration of applications and bills, and for other such matters that came before the Board. The contents of this meeting were transcribed by Esquire Communications, Ltd. Court Reporters and are made a part of the record.

PRESENT: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

ABSENT: Summers 1.

PRESIDING: President and Trustee Kenneth Hauser.

President Hauser called the meeting to order.

The Board then reviewed of the minutes of the Investment Committee meeting held November 16, 2015. *It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve the minutes of the Investment Committee Meeting held November 16, 2015.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

The Board reviewed the minutes from the Regular Meeting held October 26, 2015, and noted one amendment.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board approve the minutes of the Board Meeting held October 26, 2015.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

The Board's Legal Counsel submitted drafted orders on the following Board decisions:

Markee Cooper, police pension credit for prior service denied by the Board.

It was moved by Trustee Hamburger, seconded by Trustee Lappe that the Board approve this order as submitted.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

Timothy O'Brien, after a hearing on his disability status, it was determined the disability has ceased and the Board terminated benefits effective November 30, 2015.

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve this order as submitted.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

November 24, 2015

Page 2.

The Recording Secretary, Trustee Maloney conducted the general agenda as follows:

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

1 - 6 Incurred Expenses for the Month of November 2015.

It was moved by Trustee Lappe, seconded by Trustee Hauser that the Board approve the Obligations as detailed on pages 1 through 6.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

7 - 12 Refunds of Contributions; Withdrawal of Service, Widow's Annuity Accumulations, Widow's Annuity Accumulations-Revised, and Exempt Rank.

It was moved by Trustee Avila, seconded by Trustee Lappe that the Board approve the Refunds as detailed on pages 7 through 12.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

13 - 14 Payment to Heirs of Deceased Annuitants

It was moved by Trustee Hauser, seconded by Trustee Avila that the Board approve the Payments to Heirs of Deceased Annuitants as detailed on pages 13 and 14.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

15 Refund of Unused Annuity Accumulations

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board approve the Refund of Unused Annuity Accumulations as detailed on page 15.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

16 Refund of Annual Increase Contributions

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board approve the Refund of Annual Increase Contributions as detailed on page 16.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

November 24

Page 3.

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

17 - 19 Annuities [Summary pg. 20]

It was moved by Trustee Hauser, seconded by Trustee Avila that the Board approve the Annuities as detailed on pages 17 through 19.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

21 - 27 Annuities – Revised

It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve the Revised Annuities as detailed on pages 21 through 27.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

28 - 29 Annuities to Widows [Summary pg. 30]

It was moved by Trustee Hauser, seconded by Trustee Hamburger that the Board approve the Annuities to Widows as detailed on pages 28 and 29.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

31 Annuities to Children

After review, it was moved by Trustee Hamburger, seconded by Trustee Avila that the Board defer the Annuity to Children as detailed on page 31 for additional information.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

32 Ordinary Disability Benefits

a) **Blaszczyk, James S.**

The medical records on this application were reviewed, testimony was heard from the Board's consulting Physician Dr. Orris and from CPD Director of Human Resources, Donald O'Neill.

It was moved by Trustee Wright, seconded by Trustee Hamburger that the Board defer this matter to a full hearing

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

November 24, 2015

Page 4.

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

32 Ordinary Disability Benefits, continued

b) **Letizia, Anthony M.**

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board award an ordinary disability benefit to this officer.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

c) **Schroeder, Kimberly G.**

It was moved by Trustee Lappe, seconded by Trustee Brown that the Board award an ordinary disability benefit to this officer.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

33 Duty / Occupational Disease Disability Benefits

d) **Jasinski, Robert P.**

It was moved by Trustee Brown, seconded by Trustee Wright that the Board move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

e) **Lebensorger, Fred J.**

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board, move to grant the officer, subject to a full evidentiary hearing, ordinary disability benefits without prejudice with the understanding that the Board reserves the right prior to such hearing to revisit and terminate that benefit if deemed warranted.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

f) **Walsh, Jr., Thomas**

It was moved by Trustee Hauser, seconded by Trustee Wright that the Board award Thomas Walsh, Jr. an occupational disease disability benefit.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

November 24, 2015

Page 5.

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

34 - 37 Payments of Death Benefits [Summary pg. 38]

It was moved by Trustee Hauser, seconded by Trustee Lappe that the Board approve the Death Benefits as detailed on pages 34 through 37.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

39 GUARDIANSHIP APPOINTMENT

Wood, Peter

It was moved by Trustee Avila, seconded by Trustee Wright that the Board acknowledge the guardianship appointment as detailed on page 39.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

40 REQUEST FOR PENSION CREDIT FOR LEAVE OF ABSENCE SERVICE

Sipic, Milan

It was moved by Trustee Lappe, seconded by Trustee Hamburger that the Board approve the request to purchase pension credit for a leave of absence as detailed on page 40.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

41 REQUESTS FOR PENSION CREDIT FOR PRIOR SERVICE UNDER 5-214 (c)

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board approve the requests to purchase pension credit for prior Cook County service detailed on page 41.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

42 REQUESTS FOR PENSION CREDIT FOR PRIOR MILITARY SERVICE UNDER 5-214.3

It was moved by Trustee Wright, seconded by Trustee Brown that the Board approve the requests to purchase pension credit for prior military service detailed on page 42.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

November 24, 2017

Page 6.

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

43 REQUEST FOR PENSION CREDIT FOR PRIOR MILITARY SERVICE UNDER **USERRA**

It was moved by Trustee Hamburger, seconded by Trustee Brown that the Board approve the requests to purchase pension credit for military leaves for Officers Gerald Cruz and Juan Cano.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

The next order of business, before the scheduled hearings, was a presentation from MB Real Estate concerning the Fund's office space. Mr. Davidson, Mr. Burkards and Ms. Torres appeared before the Board to review the Fund's options for an office rental lease. Detailed review and discussion was held and *it was moved by Trustee Hamburger, seconded by Trustee Avila, that the Board go into executive session to discuss contract negotiations.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Brown, seconded by Trustee Hamburger, that the Board exit executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Avila, seconded by Trustee Brown, that the Board accept the fifteen year lease for 121 Wacker Drive (formerly known as 221 N. LaSalle Street) owned by Sterling Bay Corporation.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Avila, seconded by Trustee Hamburger, that the Board go into executive session per 2 (c)11.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Brown, that the Board exit executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

The Board's President called for the hearings on the scheduled cases.

AGENDA INDEX & SUMMARY
PAGE NO. REFERENCE

HEARINGS

44 **REQUEST FOR PENSION CREDIT FOR LEAVE OF ABSENCE SERVICE UNDER 5-212**

Munoz, Antonio

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board approve the request to purchase pension service credit for the leave of absence periods Antonio Munoz served as an Illinois Senator as detailed on page 44, with notification to the General Assembly Retirement System of this pension credit purchase.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

DISABILITY HEARINGS

DISABILITY STATUS REVIEWS

45 **Salcedo, Maria E.**

Maria Salcedo appeared, without counsel, before the Board for a review of her disability status. Mr. Kulger advised Ms. Salcedo of her right to counsel, along with the purpose of the disability status hearing. Ms. Salcedo elected to proceed with the hearing. Documents were submitted and testimony was taken from Maria Salcedo, the Board's consulting physician, Dr. Orris, and Director of CPD Human Resources, Donald O'Neill.

It was moved by Trustee Lappe, seconded by Trustee Wright that based on the records and testimony that the Board terminate Maria Salcedo's duty disability benefit effective December 31, 2015.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

46 **Selke, Michael J.**

Michael Selke appeared before the Board on a disability status review and requested a continuance in order to obtain legal counsel.

It was moved by Trustee Wright, seconded by Trustee Avila that the Board grant the continuance requested.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

47 **Stapleton, III, John**

John Stapleton appeared, with counsel, before the Board on a review of his disability status. Since the scheduling of this case additional medical documentation has been submitted. After reviewing the medical and hearing testimony from the Board's physician it was determined that John Stapleton's disability benefit will continue uninterrupted.

MINUTES CONTINUED

November 24, 2015

Page 8.

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

DISABILITY STATUS REVIEWS, Continued

48 **Zaragoza, Angel**

Angel Zaragoza appeared, without counsel, before the Board for a review of his disability status. David Kulger advised Mr. Zaragoza of his right to counsel, along with the purpose of the disability status hearing. Mr. Zaragoza elected to proceed with the hearing. Documents were submitted and testimony was taken from Angel Zaragoza, the Board's consulting physician, Dr. Orris, and Director of CPD Human Resources, Donald O'Neill.

It was moved by Trustee Lappe, seconded by Trustee Wright that based on the records and testimony that the Board terminate Angel Zaragoza's duty disability benefit effective December 31, 2015.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

49 DUTY DISABILITY CLAIMS

Alesia, Michael J.

Michael J. Alesia appeared before the Board, with counsel, on his application for a duty disability benefit. After reviewing the documents and records submitted and hearing testimony from the claimant, his attending physician Dr. Stephen Hobfoll, *it was moved by Trustee Wright, seconded by Trustee Hamburger that the Board go into executive session.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Avila that the Board exit the executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was then moved by Trustee Lappe, seconded by Trustee Wright that the Board grant Officer Alesia a duty disability benefit.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was then moved by Trustee Lappe, seconded by Trustee Maloney that the Board grant the duty award at 75% of salary as defined in the Pension Act.

ROLL CALL

For: Avila, Brown, Hauser, Lappe, Maloney, Wright 6.

Absent: Summers 1.

Against: Hamburger 1.

MINUTES CONTINUED

November 24, 2015

Page 9.

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

49 DUTY DISABILITY CLAIMS, Continued

Hauser, Daniel G.

Daniel G. Hauser appeared before the Board, with counsel, on his application for a duty disability benefit. This matter was before the Board on July 30, 2015, when testimony was taken from Recruit Hauser and Sgt. Snelling of the CPD. At that time documents were offered into the record. Attorney for Daniel Hauser requested the Director of CPD Human Resources be subpoenaed to testify in this matter. Today Donald O'Neill, Director of Human Resources and Fund Staff member Gladys Bernal provided testimony. The documents submitted were reviewed; all exhibits were accepted into the record absent any medical. Medical records are not part of this record.

It was moved by Trustee Avila, seconded by Trustee Hamburger that the Board go into executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board exit the executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was moved by Trustee Wright, seconded by Trustee Lappe that the Board deny the application of Daniel G. Hauser pursuant to the Statute and this Board lacking jurisdiction in this matter.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

Howard, Keisha Y.

Keisha Howard appeared before the Board, with counsel, on her application for a duty disability benefit. After reviewing the documents and records submitted and hearing testimony from the claimant, *it was moved by Trustee Wright, seconded by Trustee Hamburger that the Board grant Ms. Howard a duty disability benefit.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was then moved by Trustee Wright, seconded by Trustee Maloney that the Board grant the duty disability at 75% of salary as defined in the Pension Act.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

November 24, 2015

Page 10.

AGENDA INDEX & SUMMARY

PAGE NO. REFERENCE

49 DUTY DISABILITY CLAIMS, Continued

Maloy, Brian R.

Brian Maloy appeared before the Board, with counsel, on his application for a duty disability benefit. After reviewing the documents and records submitted and hearing testimony from the claimant and the Board's consulting physician, *it was moved by Trustee Maloney, seconded by Trustee Lappe that the Board grant Mr. Maloy a duty disability benefit.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was then moved by Trustee Maloney, seconded by Trustee Wright that the Board grant the duty disability at 75% of salary as defined in the Pension Act.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

Zwolski, Mary L.

Mary L. Zwolski appeared before the Board, with counsel, on her application for a duty disability benefit. After reviewing the documents and records submitted and hearing testimony from the claimant, *it was moved by Trustee Wright, seconded by Trustee Lappe that the Board grant Ms. Zwolski a duty disability benefit.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

It was then moved by Trustee Wright, seconded by Trustee Lappe that the Board grant the duty disability at 75% of salary as defined in the Pension Act.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

The Executive Director reviewed with the Board the following matters.

- A draft of proposed meeting dates for 2016 was distributed and discussed. A revised schedule shall be distributed at the next meeting for Board approval.
- The Richard J. Jones Annuitant Assistance Fund cordially requests \$440,000 transferred from the Fund's gift reserve in order to provide a year-end gift of \$500 to the minimum annuitants and widows of the Policemen's Annuity and Benefit Fund.

It was moved by Trustee Hamburger, seconded by Trustee Wright, that the Board approve a transfer of \$440,000 from the Fund's gift reserve to the RJJAA Fund.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

November 24, 2015

Page 11.

- An Ethics Certification was distributed to each Board member for review and signature acknowledging sufficient training for compliance.
- The Executive Director requested one-on-one meeting with each Trustee to review the proposed budget for 2016, and address any questions or concerns prior to formal presentation at the December Board meeting.
- Brief discussion was held concerning funding legislation and expected timing of tax receipts in 2016. Trustee Brown indicated that the Fund should receive its normal receipts of approximately \$100 million with the first installment.
- Law firm Scott & Scott, indicated that the Fund has been appointed lead plaintiff in the FXCM litigation by Judge Wood.
- The Board's physician, after a medical review, has recommended IMEs or FCEs to be completed on certain recipients of disability benefits.

*It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board approve the recommendation of the Board's physician to have a FCE and/or an IME performed on disability recipients **Robert Mohendano, Edward O'Connell, Necole Smith-Holmes, Steve Staskiewicz and Dimitrios Katsaros***

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

- The Executive Director requested a budget for the Fund's annual holiday luncheon of \$500.

It was moved by Trustee Avila, seconded by Trustee Wright that the Board approve a \$500 budget for the Fund 2015 holiday luncheon.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

- The Executive Director reported that benefit analyst Peter Stack resigned his position effective October 15, 2015; and the hiring of Ivan Rogic and Jonathan Facundo in the benefit analyst department.

EXECUTIVE DIRECTOR'S REPORT CONCLUDED

It was moved by Trustee Hamburger, seconded by Trustee Avila that the Board go into executive session per 2 (c)(11).

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

MINUTES CONTINUED

November 24, 2015

Page 12.

It was moved by Trustee Hamburger, seconded by Trustee Wright that the Board exit the executive session.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

There was a motion made by Trustee Hamburger, seconded by Trustee Wright that the Board approve a FCE on disability recipient Edward O'Connell.

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.

Heather Jackson from the law firm of Taft, Stettinius & Hollister appeared before the Board on a proposed **settlement agreement between the City of Chicago, Policemen's Annuity & Benefit Fund and the Department of Justice**. The proposed agreement is in furtherance of a settlement that is anticipated in a case that challenged the police department's hiring, the residency requirement that was in place until 2011. As part of the settlement, eight class members will be hired and the settlement also provides for retroactive seniority to those hired class members, both in terms of pension benefits and in terms of pay. Specifically, those eight class members can elect a seniority date between July 1st, 2008, and their actual date of hire. The City would agree to fund the employer's side of the pension obligation as well as the interest, and the hired individual would have the obligation to pay the employee's side. The member, once hired, would have the lesser of five years or his or her retirement date to fund his or her retroactive seniority date.

It was requested of the Fund to approve the settlement as presented, awarding a back-pay award, sonority and pension credit. The Board provided direction to the Fund's staff to sign the settlement.

All business concluded for this date, *it was moved by Trustee Wright, seconded by Trustee Hamburger that this meeting be adjourned.*

ROLL CALL

For: Avila, Brown, Hamburger, Hauser, Lappe, Maloney, Wright 7.

Absent: Summers 1.

Against: 0.